

THE PHILIPPINES (TIER 2 – WATCH LIST)

The Philippines is a source, transit, and destination country for men, women, and children trafficked for the purposes of sexual exploitation and forced labor. Philippine women are often lured abroad with false promises of legitimate employment and are trafficked for commercial sexual exploitation to destinations throughout Asia, the Middle East, Africa, Europe, and North America. A significant number of the 71,084 Philippine women who entered Japan as overseas performing artists in 2004 are believed to have been women trafficked into the sex trade. Philippine men and women who go overseas to work in domestic service and the construction and garment industries often face exploitative conditions that meet the definition of involuntary servitude — a severe form of trafficking in persons. To a lesser extent, the Philippines is a transit point and destination for women from the People's Republic of China (P.R.C.) who are trafficked for sexual exploitation. Within the Philippines, there is internal trafficking from rural to urban metropolitan areas and sexual exploitation of children. Endemic poverty, a high unemployment rate, a cultural propensity towards migration, a weak rule-of-law environment, and sex tourism all contribute to significant trafficking activity in the Philippines.

The Government of the Philippines does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Although the Philippines remains a strong proponent of anti-trafficking measures in the context of international organizations, more progress in its law enforcement efforts is needed. The Philippines' placement on Tier 2 Watch List is due to its failure to show evidence of increasing efforts to convict traffickers. The government made modestly better efforts to implement its anti-trafficking law, dedicating four state prosecutors to focus on trafficking-related cases and providing training to law enforcement officials on the anti-trafficking law. The Philippine Government should take immediate corrective action by arresting, prosecuting, and convicting traffickers and any public officials found to be involved in trafficking. The government also needs to make greater efforts to address allegations of corruption and fraud regarding the issuance of documents to facilitate the recruitment of Philippine entertainers to Japan, a process that traffickers exploit.

Prosecution

During the reporting period, the Philippine Government made increasing efforts to implement its anti-trafficking law; the number of trafficking-related prosecutions under the anti-trafficking law remained low, although there were other prosecutions under legislation related to child abuse and illegal recruitment. There were no reported convictions under the anti-trafficking law of 2003. The government dedicated four state prosecutors to focus on trafficking-related cases and provided training to law enforcement officials on the anti-trafficking law. Currently, there are 28 cases under investigation. The Department of Justice is prosecuting at least 15 cases under the anti-trafficking law and other statutes related to child abuse and illegal recruitment. Corruption and a weak judiciary remain serious impediments to the effective prosecution of traffickers. Despite widespread allegations of law enforcement officials' complicity in trafficking, the government reported no prosecutions of trafficking-related corruption.

Protection

The Philippine Government continued to sponsor impressive protection efforts for trafficking victims in 2004. The anti-trafficking law passed in 2003 recognizes trafficked persons as victims and does not penalize them. Despite limited resources, the Department of Social Welfare and Development (DSWD) continued to provide a range of protective services, including temporary residency status, relief from deportation, shelter, and access to legal, medical, and counseling services. With assistance from the Department of Foreign Affairs, the DSWD also established arrangements with NGOs in destination countries to provide overseas Philippine workers who had been exploited with temporary shelter, counseling, and medical assistance. The government also provided additional protective services, including telephone hotlines for reporting cases of

abused/exploited women and children. The Philippine Government increased its efforts to train law enforcement officials and consular officials in all of its embassies to deal with trafficking victims.

Prevention

The government continued modest efforts to raise awareness of trafficking. Senior government officials frequently spoke out about the dangers of trafficking. Fourteen government agencies also coordinate the government's anti-trafficking efforts, much of which is prevention-oriented. The Philippine Government's information campaign on overseas employment resulted in a decline in illegal recruitment and recruitment violations. The government has a national action plan to address trafficking in persons.